

AMENDED IN SENATE JUNE 18, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY MAY 5, 2014

AMENDED IN ASSEMBLY APRIL 10, 2014

AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2160

Introduced by Assembly Member Ting

(Principal coauthor: Senator Hill)

**(Coauthors: Assembly Members Ammiano, Brown, Campos,
Chávez, Gonzalez, and Maienschein)**

(Coauthors: Senators Cannella, Evans, and Padilla)

February 20, 2014

An act to amend Section 69432.9 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2160, as amended, Ting. Cal Grant Program: grade point average.

The Cal Grant Program establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Cal Grant Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

A provision of the program specifies that the commission shall require that a grade point average be submitted, as specified, to the commission for Cal Grant A and B applicants, except for those applicants permitted to provide test scores in lieu of a grade point average.

This bill would require ~~that this~~ *that, except for pupils who opt out, as specified, each pupil enrolled in grade 12 be deemed a Cal Grant applicant. The bill would require, except for pupils who have opted out, as specified, that a grade point average be submitted electronically for all ~~high school seniors~~ grade 12 pupils at public schools, including charter schools, each academic year, and all other Cal Grant A and B applicants, except those permitted, at the discretion of the commission, to submit a grade point average in a nonelectronic format or to provide test scores in lieu of a grade point average, and provide that grade point averages submitted shall be subject to review by the commission or its designee. The bill would ~~condition these requirements upon the school district or charter school obtaining written permission of the parent or guardian in compliance with a specified federal law~~ require the school district or charter school, no later than October 15 of a pupil's grade 12 academic year, to notify, in writing, the parent or guardian of each grade 12 pupil that the pupil will be deemed a Cal Grant applicant unless the pupil opts out, and provide an opportunity for that pupil to opt out. To the extent that ~~this provision~~ these provisions would impose new duties on local educational agencies and community college districts, ~~it~~ they would constitute a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 69432.9 of the Education Code is
- 2 amended to read:
- 3 69432.9. (a) A Cal Grant applicant shall submit a complete
- 4 official financial aid application pursuant to Section 69433 and

1 applicable regulations adopted by the commission. *Each pupil*
 2 *enrolled in grade 12 in a California public school, other than*
 3 *pupils who opt out as provided in subdivision (d), shall be deemed*
 4 *to be a Cal Grant applicant.*

5 (b) Financial need shall be determined to establish an applicant's
 6 initial eligibility for a Cal Grant award and a renewing recipient's
 7 continued eligibility using the federal financial need methodology
 8 pursuant to subdivision (a) of Section 69506 and applicable
 9 regulations adopted by the commission, and as established by Title
 10 IV of the federal Higher Education Act of 1965, as amended (20
 11 U.S.C. Secs. 1070 et seq.).

12 (1) "Expected family contribution," with respect to an applicant
 13 or renewing recipient, shall be determined using the federal
 14 methodology pursuant to subdivision (a) of Section 69506 (as
 15 established by Title IV of the federal Higher Education Act of
 16 1965, as amended (20 U.S.C. Secs. 1070 et seq.)) and applicable
 17 rules and regulations adopted by the commission.

18 (2) "Financial need" means the difference between the student's
 19 cost of attendance as determined by the commission and the
 20 expected family contribution. The calculation of financial need
 21 shall be consistent with Title IV of the federal Higher Education
 22 Act of 1965, as amended (20 U.S.C. Secs. 1070 et seq.).

23 (3) (A) The minimum financial need required for receipt of an
 24 initial and renewal Cal Grant A or C award shall be no less than
 25 the maximum annual award value for the applicable institution,
 26 plus an additional one thousand five hundred dollars (\$1,500) of
 27 financial need.

28 (B) The minimum financial need required for receipt of an initial
 29 and renewal Cal Grant B award shall be no less than seven hundred
 30 dollars (\$700).

31 (c) ~~Except~~ (1) *Except for pupils who have opted out as provided*
 32 *in subdivision (d), the commission shall require that a grade point*
 33 *average be submitted electronically for all high school seniors*
 34 *grade 12 pupils at public schools, including charter schools, each*
 35 *academic year, and for all other Cal Grant A and B applicants,*
 36 *except those permitted, at the discretion of the commission, to*
 37 *submit a grade point average in a nonelectronic format or to*
 38 *provide test scores in lieu of a grade point average.* ~~The~~

39 (2) *The commission shall require that each report of a grade*
 40 *point average be submitted electronically by a school or school*

1 district official, with a certification *by a school official*, under
2 penalty of perjury, that the grade point average reported is
3 accurately reported. A submitted grade point average shall be
4 subject to review by the commission or its designee. ~~The~~

5 (3) *The* commission shall adopt regulations that establish a grace
6 period for receipt of the grade point average and any appropriate
7 corrections, and that set forth the circumstances under which a
8 student may submit a specified test score designated by the
9 commission, by regulation, in lieu of submitting a qualifying grade
10 point average. It is the intent of the Legislature that high schools
11 and institutions of higher education ~~electronically submit~~ *certify*
12 the grade point averages of their students in time to meet the
13 application deadlines imposed by this chapter.

14 ~~(d) Prior to submitting the grade point average of a pupil who~~
15 ~~has not applied for a Cal Grant award, the school district or charter~~
16 ~~school shall obtain written permission of the parent or guardian in~~
17 ~~compliance with the federal Family Educational Rights and Privacy~~
18 ~~Act of 2001 (20 U.S.C. Sec. 1232g).~~

19 *(d) The school district or charter school shall, no later than*
20 *October 15 of a pupil's grade 12 academic year, notify, in writing,*
21 *the parent or guardian of each grade 12 pupil that, pursuant to*
22 *subdivision (a), the pupil will be deemed a Cal Grant applicant*
23 *unless the pupil opts out, and provide an opportunity for that pupil*
24 *to opt out of being automatically deemed a Cal Grant applicant.*

25 SEC. 2. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.